

SENATE BILL 270

A2

11r1663
CF 11r1661

By: **Senator Edwards**

Introduced and read first time: January 31, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Allegany County Board of License Commissioners –**
3 **Vacancies**

4 FOR the purpose of requiring the Governor to appoint the members of the Allegany
5 County Board of License Commissioners with the advice and consent of the
6 central committees of certain political parties; providing for the application of
7 this Act; and generally relating to the filling of vacancies on the Allegany
8 County Board of License Commissioners.

9 BY repealing and reenacting, without amendments,
10 Article 2B – Alcoholic Beverages
11 Section 15–101(a)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2010 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article 2B – Alcoholic Beverages
16 Section 15–101(b)
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2010 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 2B – Alcoholic Beverages**

22 15–101.

23 (a) (1) For the jurisdictions in which this section is effective, the
24 Governor, biennially, by and with the advice and consent of the Senate, if in session,
25 and if not in session, then the Governor alone, shall appoint three persons who shall

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 constitute and be styled "The Board of License Commissioners for Baltimore City or
2 County", as the case may be.

3 (2) In making the appointments, the Governor shall designate one of
4 the appointees in Baltimore City and each of the counties to be the chairman of the
5 respective boards.

6 (3) The commissioners shall be residents and voters of Baltimore City
7 or the respective counties, as the case may be, and they shall be persons of high
8 character and integrity and of recognized business capacity.

9 (4) In the case of any vacancies in the number of the license
10 commissioners in Baltimore City or in any county which occur when the legislature is
11 not in session, the Governor shall appoint some eligible person to fill the vacancy
12 during the remainder of the term of office of the person originally appointed.

13 (b) (1) This subsection applies only in Allegany County.

14 (2) Appointments shall be for terms of 6 years each. The terms of the
15 members are staggered as required by the terms of the members of the Board on
16 January 1, 1994.

17 (3) (I) Two of the members of the Board of License Commissioners
18 shall be members of that political party which at the last preceding general election in
19 Allegany County polled the greatest number of votes in the aggregate for the several
20 offices of County Commissioner therein.

21 (II) The third member of the Board of License Commissioners
22 shall be a member of that political party which at the last preceding general election
23 in Allegany County polled the second highest number of votes in the aggregate for the
24 several offices of County Commissioner therein.

25 (4) **THE GOVERNOR SHALL APPOINT EACH MEMBER OF THE**
26 **BOARD OF LICENSE COMMISSIONERS WITH THE ADVICE AND CONSENT OF THE**
27 **CENTRAL COMMITTEE OF THE RESPECTIVE POLITICAL PARTY AS PROVIDED IN**
28 **PARAGRAPH (3) OF THIS SUBSECTION.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
30 construed to apply only prospectively and may not be applied or interpreted to have
31 any effect on or application to any member of the Allegany Board of License
32 Commissioners appointed before the effective date of this Act.

33 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2011.